Comprehensive Policy for Grid-connected Power Projects based on New and Renewable (Non-conventional) Energy Sources - 2015

Government of Maharashtra

Industries, Energy and Labour Department

Government Resolution No.: NCE-2015/C.R. 49/Energy-7,

Madam Cama Road, Hutatma Rajguru Chowk,

Mantralaya, Mumbai - 400 032.
Dated : 20th July, 2015.

Read -

1) Government Resolution, Industries, Energy & Labour Department, No. - NCE-2007/C.R. 693/Energy-7, dated 14th October, 2008
2) Government Resolution, Industries, Energy & Labour Department, No. - Wind-2010/C.R. 134/Energy-7, dated 14th July, 2010
3) Government Resolution, Industries, Energy & Labour Department,No. - NCE-2014/C.R. 144/Energy-7, dated 30th August, 2014

Preface:

In view of the paramount importance of power generation from the new and renewable energy sources, the Government of India has declared a target of 175 GW capacity for installation of renewable power projects in the country by the year 2022. It includes solar power projects of 100 GW capacity. In the light of this target, massive efforts are being taken in the country across the states.

For the development of new and renewable sources of energy in the State, various incentive have been declared from time to time to create installed capacity through projects of different sources of renewable energy. There are abundant new and renewable energy sources available in the state. Apart from the wind and solar energy source, power generation is also possible from bagasse based on sugarcane and from agricultural, bio-medical, mineral, industrial and other wastes. Considering the importance of these sources and their potential of power generation in the state, a comprehensive policy for generation and promotion of electricity from projects based on solar, wind, bagasse / biomass co-generation, small hydro and from agriculture, mineral, bio-medical, industrial waste, was under consideration of the Government of Maharashtra. The Cabinet approved the comprehensive grid connected renewable policy in its meeting dated 2nd June, 2015. Accordingly, the Government Resolution listing the details of the policy is declared as under.

Government Resolution:-

1. Overall Target:-

1.1. The policy envisages setting up of grid-connected renewable power projects as per the following capacities.

5000 MW of Wind Power Projects,

1000 MW of Bagasse –based Co-generation Projects,

400 MW of Small Hydro Projects,

300 MW of Biomass-based Power Projects,

200 MW of Industrial Waste-based Power Projects

7500 MW of Solar Power Projects,

Thus a total of 14,400 MW capacity power projects based on new and renewable energy sources are targeted to be installed in the next 5 years.

1.2. A suitable methodology will be separately formulated for the installation, commissioning and effective implementation of renewable energy projects.

1.3. Maharashtra Energy Development Agency (MEDA) will implement the policy as per the methodology and give assistance with respect to matters relating to the Ministry of New and Renewable Energy (MNRE).

1.4. Hybrid power projects in conjunction with solar energy will also be allowed under this policy, which will be as per the guidelines of the Ministry of New and Renewable Energy (MNRE). The tariff declared by Maharashtra Electricity Regulatory Commission (MERC) from time to time will be applicable to these projects.

1.5. In the light of the clean and environment friendly aspects of the new and renewable power projects, a separate open access regulation, along with preferential open access charges will be declared by the State Electricity Regulatory Commission, keeping in view the special characteristics of the new and renewable energy sources

1.6. A committee will be constituted under the chairmanship of Chief Secretary for mid-term review and for making necessary changes in targets decided under this policy. A separate order will be issued by the Energy Department in this regard.

1.6.1. The recommendations of the review committee would be applicable prospectively to the new projects.

The source-wise policy is as follows:-

2. Wind Power Projects:-

2.1. In view of the potential and use of wind energy and the ongoing wind resource assessment programme, the target of commissioning of wind power projects of 5000 MW is being set. 1500 MW capacity would be developed for meeting the procurement requirement of distribution licencees under the Renewable Purchase Obligation (RPO) regime

2.2. Considering the favourable scope at the windy sites, the re-powering of existing wind electric generators, with appropriate micro siting and the use of latest and improved technologies, will be allowed.

2.2.1. The repowering of projects will be done as per the guidelines issued by MNRE. Such projects will be considered for registration under this policy.

2.3. Deemed non-agricultural land status is being made applicable in respect of the land procured for wind power projects under this policy.

2.4. The wind power projects under this policy are exempted from obtaining NOC / consent from the Pollution Control Board.

2.5. The policy will applicable from the financial year 2015-16 with immediate effect. The capacity of about 1350 MW commissioned after the expiry of previous policy would be included in the procurement target of 1500 MW. MERC tariff prevailing at the time of commissioning of respective projects will be applicable for signing the PPAs. However, registration with MEDA will be mandatory for these projects.

2.6. Remaining 3500 MW capacity will be developed for captive/group captive use outside the state or for third party sale outside the state or for participating in the the Renewable Energy Certificate (REC) mechanism. The open access permission will be provided as per the regulation of the respective Electricity Regulatory Commission

2.7. The regulations and orders of MERC will be applicable to wind power projects under this policy in the matter of evacuation arrangement and expenditure. The supervision charges for setting up of evacuation arrangement will not be levied.

2.8. The wind power projects established under this policy can be registered as industrial units with the Industries Department, if they so desire.

2.9. The wind power projects established under this policy are required to be registered with Maharashtra Energy Development Agency (MEDA).

2.10. The provisions in respect of repairs to roads, as mentioned in the Government Resolution no. NCE -2013/C.R.121/Energy-7 dated. 21.08.2013, will be applicable to the wind power projects established under this policy.

3. Bagasse / Agricultural Waste based Co-generation Power Projects:-

3.1. Surplus electricity can be generated in the state from the bye products of sugar factories and agro industries (viz. bagasse/ rice husk etc.). The projects need to be promoted as farmers can also get additional benefit from such projects. A target of 1000 MW capacity is kept for developing bagasse / agricultural waste based co-generation power projects under this policy

3.2. It will be necessary for the project developers of bagasse / agricultural waste based co-generation power projects to sell power primarily to any distribution licensee in the state for fulfilling the Renewable Purchase Obligation at a preferential tariff fixed by MERC. After fulfilment of Renewable Purchase Obligation of the distribution licensee, the project developers will have the option of captive use or third party sale within or outside the state. The option of Renewable Energy Certificate mechanism will also be available.

3.3. The regulations and orders of MERC in the matter of evacuation arrangement and expenditure will be applicable to the bagasse / agricultural waste based co-generation power projects under this policy. The supervision charges for setting up of evacuation arrangement will not be applicable.

3.4. Electricity duty will not be levied for the first 10 years in respect of the bagasse / agricultural waste based co-generation power projects established under this policy for captive use.

3.5. The provisions in respect of exemption from tax on sugarcane purchase, as mentioned in the Government Resolution no. Bagasse-2013/C.R.165/Energy-7 dated 31.01.2014 will be applicable to the bagasse / agricultural waste based co-generation power projects established under this policy. The limit of exported surplus grid-electricity will be minimum 3 MW (35 Lakh units) or more for availing exemption in tax on sugarcane purchase.

3.6. The provisions and incentives under this policy will be prospectively applicable to the new bagasse/agricultural waste based co-generation power projects.

The projects which have obtained infrastructure clearance under the earlier policies will get the benefits mentioned under the then prevailing policy, notwithstanding any other provisions stated elsewhere in this policy.

3.7. It is expected that in the direct employment given in the projects under this policy, 80% of unskilled workers and 50% of semi-skilled /skilled workers should be selected from within the gram panchayat area in which the project is located. The project developer / project holder should make arrangement to impart proper training to the unskilled workers to make them skilled workers. It is expected that at least one person from the family providing land for such projects should be given preference in the direct employment.

3.8. It is expected that 2% of the total profit made by the project developer / project holder of the bagasse / agricultural waste based co-generation power project should be utilised for work under social responsibility. Such funds should be used primarily for development works within the local gram panchayat area, such as water supply schemes, health services, and establishment of schools and non-conventional energy applications. After providing appropriate facilities at the local gram panchayat, the development in the area of nearby gram panchayat should be taken up.

3.9. The infrastructure clearance for the bagasse / agricultural waste based cogeneration power projects under this policy will be given by MEDA.

3.10. Government Resolution no. NCE-2014/C.R.144/Energy-7 dated 30/08/2014 in respect of bagasse / agricultural waste based co-generation power projects is hereby superseded by this government resolution.

4. Small Hydro Power Projects:-

There is a large potential for generation of additional electricity from small hydro power projects. This includes giving encouragement to projects up to 25MW which are to be developed by private developers through the Water Resources Deppartment. for this purpose all such projects up to 25 MW are included in this policy.

4.1 There is a large potential for generation of electricity from small hydro power projects in the state. In this context, 400 MW capacity of small hydro power projects of capacity up to 25 MW will be targeted for coverage under this policy.

4.2 It will be necessary for the project developers of small hydro power projects to sell power primarily to any distribution licensee in the state for fulfilling the Renewable Purchase Obligation at a preferential tariff fixed by MERC. After fulfilment of Renewable Purchase Obligation of the distribution licensee, the project developers will have the option of captive use or third party sale within or outside the state. The option of Renewable Energy Certificate mechanism will also be available.

4.3. Evacuation Arrangement:

4.3.1. Maharashtra State Electricity Transmission Company Ltd. (MSETCL) / Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) and the project developer will carry out joint survey for LV, HV and EHV sub-stations and for the required transmission and distribution lines for these projects.

4.3.2. The project developer will undertake, with own expenditure, the erection work of LV, HV and EHV sub-stations as well as laying of transmission and distribution lines required for the project in line with the technical specifications and estimates approved by MSETCL / MSEDCL and the work will be done under their supervision.

4.3.3. The evacuation arrangement would also include the strengthening or modification of existing sub-stations and transmission / distribution lines.

4.3.4. The evacuation arrangement would include the 11 KV and above lines from the project site to be connected to LV, HV and EHV sub-stations.

4.3.5. Expenditure on evacuation arrangement: The amount of expenditure on evacuation arrangement payable as financial assistance from the green cess fund will be the amount as per the estimate approved by MSETCL / MSEDCL or as per the expenditure actually incurred, and verified by the MSETCL / MSEDCL, whichever amount is less.

4.3.6. The project developer/ The project holder as per availability of funds will be given financial assistance by MEDA as reimbursement from the green cess fund upto a maximum of Rs. 1 crore per project for expenditure made on evacuation arrangement.

4.3.7. The financial assistance will be released only after the evacuation arrangement is handed over to MSETCL / MSEDCL and upon approval of expenditure on evacuation arrangement by MSETCL / MSEDCL.

4.4. Capital Subsidy:

4.4.1. A capital subsidy of Rs. 50,000 per kW of generation capacity, subject to a maximum of Rs. 1 crore per project will be given from green cess fund, by MEDA.

4.4.2. The capital subsidy from the green cess fund will be released to the project developer / project holder only after the commissioning certificate is issued by MSEDCL and upon submission of certificate in respect of transmission of electricity from MSETCL/MSEDCL as per availability of funds.

4.5. Electricity duty will not be levied for the first 10 years in respect of the small hydro power projects established under this policy for captive use.

4.6. The State Electricity Regulatory Commission will factor in the incentives provided under this policy while working out the tariff for small hydro power projects.

4.7. The project developer/ project holder will be granted infrastructure clearance by MEDA for availing benefits under this policy.

4.8. It is expected that in the direct employment given in the projects under this policy, 80% of unskilled workers and 50% of semi-skilled /skilled workers should be selected from within the gram panchayat area in which the small hydro power project is located. The project developer / project holder should make arrangement to impart proper training to the unskilled workers to make them skilled workers. It is expected that at least one person from the family providing land for such projects should be given preference in the direct employment.

4.9. It is expected that 2% of the total profit made by the project developer / project holder of the small hydro power project should be utilised for work under social responsibility. Such funds should be used primarily for development works within the local gram panchayat area, such as water supply schemes, health services, and establishment of schools and non-conventional energy applications. After providing appropriate facilities at the local gram panchayat, the development in the area of nearby gram panchayat should be taken up.

4.10. Government Resolution no.NCE-2014/C.R.144/Energy-7 dated 30/08/2014 in respect of small hydro power projects is hereby superseded by this government resolution.

5. Biomass based Power Projects:-

5.1. Electricity can be generated from agricultural biomass waste/residue. The farmers can get additional benefits from such projects for their biomass waste, and there can be employment generation in the rural areas. Target of 300 MW capacity of biomass based power projects is being set under this policy. Continuous supply of biomass is essential for such projects.

5.2. For the sustainability of such projects it is important to make allotment of collection area of biomass, so that sufficient quantity of biomass as per capacity of the plant can be made available. The projects based on combustion and gasification technologies will be developed under this policy.

5.3. It will be necessary for the project developers/ project holders of biomass based power projects to sell power primarily to any distribution licensee in the state for fulfilling the Renewable Purchase Obligation at the preferential tariff fixed by the MERC. After fulfilment of Renewable Purchase Obligation of the distribution licensee, the project developers / project holders will have the option of captive use or third party sale within or outside the state. The option of Renewable Energy Certificate mechanism will also be available.

5.4. Evacuation Arrangement:-

5.4.1. Maharashtra State Electricity Transmission Company Ltd. (MSETCL) / Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) and project developer will carry out joint survey for LV, HV and EHV sub-stations and for the required transmission and distribution lines for these projects.

5.4.2. The project developer will undertake, with own expenditure, the erection work of LV, HV and EHV sub-stations as well as laying of transmission and distribution lines required for the project in line with the technical specifications and estimates approved by MSETCL / MSEDCL and the work will be under their supervision.

5.4.3. The evacuation arrangement would also include the strengthening or modification of existing sub-stations and transmission / distribution lines.

5.4.4. The evacuation arrangement would include the 33 KV & above lines from the project site to be connected to LV, HV and EHV sub-stations.

5.4.5. Expenditure on evacuation arrangement: The amount of expenditure on evacuation arrangement payable as financial assistance from the green cess fund will be the amount as per the estimate approved by MSETCL/MSEDCL or as per the expenditure actually incurred, and verified by the MSETCL / MSEDCL, whichever amount is less.

5.4.6. The project developer as per the availability of funds will be given financial assistance as reimbursement by MEDA from the green cess fund, upto a maximum of Rs. 1 crore per project for expenditure made on evacuation arrangement.

5.4.7. The financial assistance from the green cess fund will be released by MEDA only after the evacuation arrangement is handed over to MSETCL / MSEDCL and upon approval of expenditure on evacuation arrangement by MSETCL / MSEDCL. subject to the availability of funds.

5.5. Capital Subsidy:

5.5.1. A capital subsidy of Rs. 1 crore per project will be given for biomass based power projects.

5.5.2. The capital subsidy to be given from the green cess fund will be released as per availability of funds to the project developer / project holder by MEDA only after the commissioning certificate is issued from MSEDCL and upon submission of certificate in respect of transmission of electricity from MSETCL / MSEDCL.

5.6. Electricity duty will not be levied for the first 10 years in respect of the biomass based power projects established under this policy for captive use.

5.7. The State Electricity Regulatory Commission will factor in the incentives provided under this policy while working out the tariff for biomass based power projects.

5.8. The project developer/project holder will be granted infrastructure clearance by MEDA for availing benefits under this policy.

5.9. The incentives under this policy will be applicable to the projects which obtain infrastructure clearance from MEDA from 01-04-2015 onwards and which get commissioned.

5.10. The projects which have obtained infrastructure clearance vide Government Resolution dated 14-10-2008 but which are yet to be commissioned, will have to get commissioned within two years from the date of this policy, if they wish to avail themselves of the benefits under the policy dated 14-10-2008.

5.11. The projects which are commissioned before 01-04-2015 but which have not obtained infrastructure clearance from MEDA vide Government Resolution dated 14-10-2008 and 14-07-2010, will be required to obtain infrastructure clearance within six months from the date of this policy if they wish to avail themselves of the benefits under the earlier policies. The projects failing to do so in the stipulated time will not be eligible for any incentives/benefits under this policy or earlier policies.

5.12. It is expected that in the direct employment given in the projects under this policy, 80% of unskilled workers and 50% of semi-skilled /skilled workers should be selected from with the gram panchayat area in which the small hydro power project is located. The project developer / project holder should make arrangement to impart proper training to the unskilled workers to make them skilled workers. It is expected that at least one person from the family providing land for such projects should be given preference in the direct employment.

5.13. It is expected that 2% of the total profit made by the project developer / project holder of the biomass based power project should be utilised for work under social responsibility. Such funds should be used primarily for development works within local gram panchayat area, such as water supply schemes, health services, and establishment of schools and non-conventional energy applications. After providing appropriate facilities at the local gram panchayat, the development in the area of nearby gram panchayat should be taken up.

6. Solar Power Projects:-

6.1. There is abundant solar energy potential available in the state, from which clean and non-polluting electricity can be generated on sustainable basis everywhere.

6.2. Under this policy, solar power projects of 7500 MW capacity will be developed of which, a total of 2500 MW capacity solar power projects will be developed by MAHAGENECO in Public Private Partnership (PPA) mode to fulfil the Renewable Generation Obligation (RGO). The remaining capacity of 5000 MW solar power projects will be developed by other developers.

6.3. Of the target meant for development of solar power projects through MAHAGENCO on public private partnership mode, ten percent of it shall be implemented at places available along the canals, lakes, water bodies of the Water Resources department or of the local government bodies. MAHAGENCO will enter into agreement with the Water Resources Department or interested local government bodies for this purpose. The agreement will include the aspects of installation of project, revenue sharing, project management etc.

6.3.1. The electricity generated from the projects developed in the PPP mode will be used for fulfilling the RPO of Maharashtra State Electricity Distribution Company Limited at preferential tariff fixed by MERC.

6.4. The minimum capacity to be developed under this policy will be 1 MW.

6.4.1. The solar power projects can be installed in the industrial areas, townships, warehouse areas along with other available locations.

6.4.2 These projects can also be developed by way of solar park.

6.4.3. The solar power projects can be developed on lands available with the Water Resources Department and also on areas available near canals or above canals by the department itself or through private developers. Also, the departments related to public transport or metro railway can develop such solar power projects.

6.4.4. The electricity generated from these projects can be sold to the distribution licensees by competitive bidding, or it can be used for captive purpose within or outside state or for third party sale or for Renewable Energy Certificate mechanism.

6.4.5. Open access permission as per the extant regulations will be provided to these projects by MSEDCL on priority basis.

6.5. Solar Park:

6.5.1. The projects developed through the solar park mode will have a capacity of 1 MW and above. Small investors who wish to use electricity generated from solar power projects for captive purpose can also develop independent solar park.

6.5.2. The solar power projects of less than 1 MW capacity may be developed if projects of minimum 250 kW capacity each are installed and combined.

6.5.3. MSEDCL/ MSETCL will give grid connectivity to these small projects if their combined capacity becomes 1 MW.

6.5.4. The electricity generated from these combined projects can be used for captive purpose as per the capacity put up by the investors.

6.6. Deemed non-agricultural land status is given in respect of the land procured for the solar power projects under this policy.

6.7. The private land required for the solar power projects developed under this policy will be procured by the project developer himself.

6.8. But, government wasteland can also be granted on lease hold basis, as per availability, by the respective District Collector.

6.8.1 After scrutiny with reference to the regional plan requirements and all other relevant provisions in regard to land, the District Collector can allot upto 4 hectares of land for the grid connected solar power projects of upto 2 MW capacity. Such land will be given, without auction, on lease at 50% concessional rate, in accordance with the

provisions of Maharashtra Land Revenue Code and the disposal of Government land Rules, 1971, on case to case basis and with relevant terms and conditions.

6.9. The private land owners may give their land on rental/ lease basis for solar power projects.

6.10. Government land will be granted, without auction and, as per availability, for the manufacture of solar modules, equipment and allied machinery at 50% concessional rate, in accordance with the provisions of Maharashtra Land Revenue Code, and the disposal of Government land Rules, 1971.

6.11. The solar power projects under this policy are exempted from obtaining NOC / consent from the Pollution Control Board.

6.12. The distribution licensees can purchase the electricity from the solar power projects developed by private developers through competitive bidding, with the approval of MERC for meeting their renewable purchase obligations.

6.12.1. The projects of 1 to 5 MW capacities can participate either independently or on cluster basis in the competitive bidding, if the projects are geographically near each other and if it is technically feasible to do so.

6.13. The developer can also generate electricity for captive use or for third party sale within or outside state. Electricity can also be sold through the Renewable Energy Certificate mechanism.

6.14. For the projects developed under this policy, open access will be granted by the distribution licensee to the project developers who wish to opt for captive use or for third party sale, in accordance with MERC regulation /orders.

6.15. The equipment used in the solar power projects under this policy should be as per the technical standards approved by MNRE, and this aspect will be verified by the power purchaser.

6.16. The regulations and orders of MERC in the matter of evacuation arrangement and expenditure will be applicable to the solar power projects under this policy. The supervision charges for setting up of evacuation arrangement will not be applicable.

6.17. The solar power projects established under this policy can be registered as industrial unit with the Industries Department, if they so desire.

6.18. The solar power projects established under this policy are required to be registered with Maharashtra Energy Development Agency (MEDA).

6.19. Electricity duty will not be levied for the first 10 years in respect of the solar power projects established under this policy for captive use.

6.20. A separate policy for grid-connected roof top solar power projects will be declared, after the MERC comes out with relevant regulations in this regard.

6.21 The government will give facilitation to the solar power project developers for the sale of electricity outside the state, but this sale of electricity will be over and above the target set under this policy.

7. Industrial Waste based Power Projects:-

7.1. Large quantities of inorganic degradable waste along with organic degradable waste are being generated from the industries in the state. Disposal in the open of these types of waste from industries causes damage to environment. Hence, the

Government has decided to give encouragement to some extent to power generation from these wastes. A target of 200 MW has been kept under the policy.

7.2. The power generated from the projects based on inorganic degradable waste will be purchased by the relevant distribution licencee by way of competitive bidding.

7.3. It will be necessary for the project developers of the power projects based on organic degradable industrial waste to sell power primarily to any distribution licencee in the state for fulfilling the Renewable Purchase Obligation. After fulfilment of Renewable Purchase Obligation of the distribution licencee, the project developers will have the option of captive use or third party sale within or outside the state. The option of Renewable Energy Certificate mechanism will also be available.

7.4. Evacuation Arrangement:

7.4.1. Maharashtra State Electricity Transmission Company Ltd. (MSETCL)/ Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) and project developer / project holder will carry out joint survey for LV, HV and EHV sub-stations and for the required transmission and distribution lines.

7.4.2. Project developer will undertake, with own expenditure, the erection work of LV, HV and EHV sub-stations as well as laying of transmission lines required for the project in line with the technical specifications and estimates approved by MSETCL / MSEDCL and the work will be done under their supervision.

7.4.3. The evacuation arrangement would also include the strengthening or modification of existing sub-stations and transmission / distribution lines.

7.4.4. The evacuation arrangement would include the 11 KV and above lines from the project site to be connected to LV, HV and EHV sub-stations.

7.5. Expenditure on evacuation arrangement:

7.5.1. The amount of expenditure on evacuation arrangement payable as financial assistance from the green cess fund will be the amount as per the estimate approved by MSETCL / MSEDCL or as per the expenditure actually incurred, and verified by the MSETCL / MSEDCL, whichever amount is less.

7.5.2. The project developer will be given financial assistance from the green cess fund, by MEDA as per availability of funds, of a maximum of Rs. 1 crore per project for expenditure made on evacuation arrangement, as reimbursement.

7.5.3. The financial assistance from the green cess fund will be released only after the evacuation arrangement is handed over to MSETCL / MSEDCL and upon approval of expenditure on evacuation arrangement by MSETCL / MSEDCL. subject to the availability of funds.

7.6. Electricity duty will not be levied for the first 10 years in respect of the industrial waste based power projects established under this policy for captive use.

7.7. The State Electricity Regulatory Commission will factor in the incentives provided under this policy while working out the tariff for industrial waste based power projects.

7.8. The project developer / project holder will be granted infrastructure clearance by MEDA for availing benefits under this policy.

7.9. It is expected that in the direct employment given in the projects under this policy, 80% of unskilled workers and 50% of semi-skilled /skilled workers should be

selected from within the gram panchayat area in which the project is located. The project developer / project holder should make arrangement to impart proper training to the unskilled workers to make them skilled workers. It is expected that at least one person from the family providing land for such projects should be given preference in the direct employment.

7.10. It is expected that 2% of the total profit made by the project developer / project holder of the industrial waste based power projects should be used under social responsibility. Such funds should be used primarily for development works within local gram panchayat area, such as water supply schemes, health services, and establishment of schools and non-conventional energy applications. After providing appropriate facilities at the local gram panchayat, the development in the area of nearby gram panchayat should be taken up.

8. Other Provisions:

8.1. If the application for open access permission to the renewable power projects under this policy for the sale of energy within or outside the state is not granted within the time frame specified in the regulations of Maharashtra Electricity Regulatory Commission (MERC), such eligible renewable power projects will be deemed to have been granted open access.

8.2. Renewable power projects will have the option to terminate their existing PPA with MAHADISCOM and opt for open access, if they so desire.

8.3. Apart from all provisions mentioned above, the orders relating to electricity tariff, energy purchase rate and agreement, banking and wheeling charges, transmission and distribution losses charges, cross subsidy surcharge and all related matters, issued by MERC from time to time will be applicable to the projects set up under this policy.

8.4. As per provisions of the Indian Electricity Act, 2003, the matters relating to the promotion of electricity generation from new and renewable energy sources, measures for evacuation arrangement, sale of electricity, percentage of Renewable Purchase Obligation and other related matters are in the domain of the MERC, and all orders in respect of these matters will be applicable to the projects set up under this policy.

8.5. As per the opinion of the Revenue Department, there is no provision for grant of land for industrial use without auction in the Maharashtra Land Revenue Code and the Disposal of Government Land Rules, 1971. Hence, necessary amendment for grant of land for setting up solar power projects without auction will be carried out by Revenue Department.

9. This Government Resolution is issued with the concurrence of Revenue & Forest Department, Rural Development & Water Conservation Department, Planning Department, Water Resources Department, Industries Department, Environment Department and in accordance with the approval given by Finance Department vide their unofficial reference no.287/2015/Expenditure-16, dated 2 nd July,2015.

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201508061206307310. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

Rohini Prabhakar Jadhav

Digitally signed by Rohini Prabhakar Jadhav
DN: c=IN, o=Government Of Maharashtra, ou=Industries Energy & Labour, postalCode=400032, st=Maharashtra, cn=Rohini Prabhakar Jadhav
Date: 2015.08.06 12:09:32 +05'30'

(R. P. Jadhav)

Under Secretary, Government of Maharashtra.

Copy forwarded to:

1. Principal Secretary to Hon'ble Chief Minister, Mantralaya, Mumbai.
2. Private Secretary to Hon'ble Minister, New & Renewable Energy, Mantralaya, Mumbai.
3. Chairperson, Maharashtra Electricity Regulatory Commission, Mumbai (through letter).
4. Hon'ble Chief Secretary, Government of Maharashtra, Mantralaya, Mumbai.
5. Additional Chief Secretary (General Administration Department), Mantralaya, Mumbai.
6. Additional Chief Secretary (Planning), Mantralaya, Mumbai.
7. Additional Chief Secretary (Revenue), Mantralaya, Mumbai.
8. Additional Chief Secretary (Forest), Mantralaya, Mumbai.
9. Additional Chief Secretary (Finance), Mantralaya, Mumbai.
10. Principal Secretary (Industries), Mantralaya, Mumbai.
11. Principal Secretary (Tribal), Mantralaya, Mumbai.
12. Principal Secretary (Urban Development - 2), Mantralaya, Mumbai.
13. Principal Secretary (Rural Development), Mantralaya, Mumbai.
14. Principal Secretary (Environment), Mantralaya, Mumbai.
15. Secretary (Public Works Department), Mantralaya, Mumbai.
16. Director General, Maharashtra Energy Development Agency (MEDA), Yerwada, Pune.
17. Development Commissioner (Industries), Directorate of Industries, New Administrative Building, Mumbai.
18. Chief Engineer (Electrical), Government of Maharashtra, , Administrative Building, Third Floor, Ramkrishna Chemburkar Road, Chembur (East), Mumbai.
19. Managing Director, Maharashtra State Electricity Holding Company Limited, Mumbai.
20. Managing Director, Maharashtra State Electricity Distribution Company Limited, Mumbai.
21. Managing Director, Maharashtra State Electricity Generation Company Limited, Mumbai.
22. Managing Director, Maharashtra State Electricity Transmission Company Limited, Mumbai.
23. All Desks in Energy Department.
24. Select file (Energy - 7), Industry, Energy & Labour Department, Mantralaya, Mumbai.